

DIETETIC EXAMINERS

CHAPTER 80
BOARD OF DIETETIC EXAMINERS

[Prior to 5/18/88, Health Department[470]—Ch 162]

645—80.1(152A) Definitions.

“Approved program or activity” means a continuing education program activity meeting the standards set forth in these rules which has received advance approval by the board.

“Audit” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified period of time.

“Board” means the board of dietetic examiners.

“Continuing education compliance biennium” means July 1 of each odd-numbered year to June 30 of the next odd-numbered year.

“Department” means the department of public health.

“Dietetics” means the integration and application of principles derived from the sciences of nutrition, biochemistry, physiology, food, management, and behavioral and social sciences to achieve and maintain peoples’ health. The primary function of dietetic practice is the provision of nutrition care services that shall include:

- a. Assessing the nutrition needs of individuals and groups and determining resources and constraints in the practice setting.
- b. Establishing priorities, goals, and objectives that meet nutrition needs and are consistent with available resources and constraints.
- c. Providing nutrition counseling in health and disease.
- d. Developing, implementing, and managing nutrition care systems.
- e. Evaluating, making changes in, and maintaining appropriate standards of quality in food and nutrition services.

“Hour of continuing education” means a clock-hour spent by a licensee in actual attendance at and completion of an approved continuing education activity.

“Inactive licensee” means a person whose dietetic license is on the inactive status.

“Licensed dietitian” or *“licensee”* means any person licensed to practice dietetics in the state of Iowa.

“License renewal biennium” means January 1 of each even-numbered year to December 31 of the next odd-numbered year.

“Nutrition assessment” means the evaluation of the nutrition needs of individuals and groups based upon appropriate biochemical, anthropometric, physical, and dietary data to determine nutrient needs and recommend appropriate nutrition intake including enteral and parenteral nutrition.

“Nutrition counseling” means advising and assisting individuals or groups on appropriate nutrition intake by integrating information from the nutrition assessment with information on food and other sources of nutrients and meal preparation consistent with cultural background and socioeconomic status.

“Registered dietitian” means a dietitian who has met the standards and qualifications of the Commission on Dietetic Registration, a member of National Commission for Health Certifying Agencies.

645—80.2(152A) Availability of information.

80.2(1) All information regarding rules, forms, time and place of meetings, minutes of meetings, record of hearings, and examination results are available to the public between the hours of 8 a.m. and 4:30 p.m., Monday to Friday, except holidays.

80.2(2) Information may be obtained by writing to the Board of Dietetic Examiners, Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075. All official correspondence shall be in writing and directed to the board address.

645—80.3(152A) Organization and proceedings.

80.3(1) The board shall consist of five members appointed by the governor and confirmed by the senate. The board shall include one licensed dietitian representing the approved or accredited dietetic education programs, one licensed dietitian representing clinical dietetics in hospitals, one licensed dietitian representing community nutrition services and two members who are not licensed dietitians and who shall represent the general public. The effective date of Iowa Code chapter 152A was July 1, 1985. A quorum shall consist of a majority of the members of the board. For the initial terms of members of the board, the governor shall appoint one member to serve a term of one year, two members to serve a term of two years, and two members to serve a term of three years.

80.3(2) A chairperson, vice chairperson and secretary shall be elected at the first meeting after April 30 of each year.

80.3(3) The board shall hold at least an annual meeting and may hold additional meetings called by the chairperson or by a majority of its members. The chairperson shall designate the date, place, and time prior to each meeting of the board. The board shall follow the latest edition of Robert's Revised Rules of Order at its meeting whenever any objection is made as to the manner in which it proceeds at a meeting.

645—80.4(152A) Requirements for licensure. An applicant for a license as a dietitian shall meet the following requirements.

80.4(1) An applicant shall be issued a license to practice dietetics by the board when the applicant satisfies all of the following:

a. Possesses a baccalaureate degree or postbaccalaureate degree from a U.S. regionally accredited college or university with a major course of study in human nutrition, food and nutrition, nutrition education, dietetics, or food systems management, or in an equivalent major course of minimum academic requirements as established by the American Dietetic Association and approved by the board. Applicants who have obtained their education outside of the U.S. and its territories must have their academic degrees validated as equivalent to the baccalaureate or master's degree conferred by a U.S. regionally accredited college or university and approved by the board.

b. Completes a documented supervised practice experience component in a dietetic practice of not less than 900 hours under the supervision of a registered dietitian, a licensed dietitian or an individual with a doctoral degree conferred by a U.S. regionally accredited college or university with a major course of study in human nutrition, nutrition education, food and nutrition, dietetics or food systems management. Supervised practice experience must be completed in the United States or its territories. Supervisors who obtained their doctoral degree outside of the United States and its territories must have their degree validated as equivalent to the doctoral degree conferred by a U.S. regionally accredited college or university.

c. Satisfactorily completes an examination approved by the board. See 645—80.6(152A) Examinations.

80.4(2) Rescinded IAB 5/13/92, effective 6/17/92.

80.4(3) Rescinded IAB 4/26/95, effective 5/31/95.

80.4(4) The board may waive the examination requirement for an applicant who can show proof of a current registration card from the commission on dietetic registration at the time of application. All applicants providing proof of a current registration card from the commission on dietetic registration who have not been employed in the practice of dietetics within the past five years shall submit to the board a list of each continuing education program completed within the past two years. The board may require additional continuing education in order to grant licensure.

80.4(5) A license is not required for dietitians who are in this state for the purpose of consultation when they are licensed in another state, U.S. possession, or country, or have received at least a baccalaureate degree in human nutrition from a U.S. regionally accredited college or university. Consultation means the practice of dietetics in affiliation with, and at the request of, a dietitian licensed in this state on behalf of a specific patient.

This rule is intended to implement Iowa Code section 147.29.

645—80.5(152A) Requirements for temporary licensure.

80.5(1) An applicant who will be taking the written examination at the next regularly scheduled examination may be granted a temporary license if evidence of completion of the required academic and experience

80.5(2) The temporary license shall expire if the applicant fails the examination and employment as a dietitian must then cease until such time as the examination is passed and permanent licensure is granted.

80.5(3) Only one temporary license shall be issued to each applicant.

80.5(4) Applicants shall notify the board, in writing, of the results of the examination within two weeks of receipt of the results. Results shall be sent to the Board of Dietetic Examiners, Iowa Department of Public Health, Lucas State Office Building, Fourth Floor, Des Moines, Iowa 50319-0075.

645—80.6(152A) Application.

80.6(1) Any person seeking a license shall complete and submit to the board a completed application form which is provided by the board.

80.6(2) The application form shall be completed in accordance with instructions contained in the application.

80.6(3) Each application shall be accompanied by a check or money order in the amount required payable to the Iowa board of dietetic examiners.

80.6(4) No application will be considered by the board until requested supporting documents and fee have been received by the board.

80.6(5) Applications for licensure which do not meet the minimum criteria for licensure shall be retained by the professional licensure division for a maximum of five years from the date the application was received. Persons whose application for licensure is more than five years old must submit a new application and fee(s).

645—80.7(152A) Examinations. In order to qualify for licensing the applicant will be required to take the registration examination for dietitians of the commission on dietetic registration. The board will accept the passing score set by the commission on dietetic registration.

645—80.8(152A) License renewal.

80.8(1) The biennial license renewal period shall extend from January 1 of each even-numbered year to December 31 of the next odd-numbered year.

80.8(2) At least two months before the renewal date a renewal notice will be sent to each license holder, who according to the board's records has complied with the continuing education requirements, at the last address in the board's file. Failure to receive the notice shall not relieve the license holder of the obligation to pay biennial renewal fees on or before the renewal date.

80.8(3) Renewal fees shall be received by the board office by the 31st of the last month of the renewal period.

80.8(4) If renewing within 30 days after the 31st of the last month of the renewal period, a penalty fee of \$25 is required in addition to the renewal fee.

645—80.9(152A) Fees. All fees are nonrefundable.

80.9(1) Application fee for a license to practice dietetics is \$100.

80.9(2) Biennial renewal fee for a license to practice dietetics is \$100.

80.9(3) Penalty fee for failure to submit renewal fee when due is \$25.

80.9(4) Reinstatement fee is \$50.

80.9(5) Penalty fee for failure to complete continuing education during the correct compliance period is \$25.

80.9(6) Fee for a duplicate license if the original is lost or stolen is \$10.

80.9(7) Fee for a certified statement that a licensee is licensed in this state is \$10.

645—80.10 to 80.99 Reserved.**645—80.100(152A) Continuing education requirements for licensees.**

80.100(1) The biennial continuing education compliance period extends from July 1 of each odd-numbered year to June 30 of the next odd-numbered year. During this period of time, 30 hours of approved continuing education shall be completed by the licensee in order to renew the license for the next biennial license period beginning January 1 of the next even-numbered year.

80.100(2) If a new license holder is licensed during the first year of the biennial continuing education period, the licensee shall be required to complete only 15 hours of continuing education for renewal of the license. If a new license holder is licensed during the second year of the biennial continuing education period, the licensee is exempt from meeting continuing education requirements for the first license renewal.

80.100(3) Hours of continuing education credit may be obtained by attending and participating in a continuing education activity offered within the state of Iowa which has prior approval by the board.

80.100(4) No hours of continuing education shall be carried over into the next continuing education period.

80.100(5) It is the responsibility of each licensee to finance the costs of continuing education.

80.100(6) Every licensee shall maintain a record of all continuing education courses attended for four years after the continuing education biennium. Appropriate documentation to be kept includes certificates of attendance for the prior approved continuing education, transcripts for academic coursework, reprints of journal articles published and proof of attendance, description of activity and professional qualifications of the presenter for out-of-state continuing education activities.

80.100(7) Each licensee shall sign a statement on the license renewal application form indicating compliance with the continuing education requirements. No license shall be renewed without this sworn statement.

80.100(8) The board reserves the right to audit a licensee's continuing education records each biennium. Licensees who are audited will be chosen in a random manner or at the discretion of the board. Falsifying reports or failure to meet continuing education requirements may result in formal disciplinary action.

645—80.101(152A) Approved continuing education activities.

80.101(1) *Obtaining continuing education.* Hours of continuing education credit may be obtained by attending and participating in a continuing education activity offered within the state of Iowa which has prior approval by the board. If the continuing education activity is attended outside the state of Iowa, the continuing education hours can be accrued if the session meets the criteria of the board for subject matter and is approved by the Commission on Dietetic Registration of the American Dietetic Association.

80.101(2) *Criteria for appropriate subject matter.* Appropriate subject matter for continuing education hours reflects the educational needs of the dietitian and the nutritional health needs of the consumer. Subject matter is limited to offerings that are scientifically founded and offered at a level

beyond entry-level dietetics for professional growth. The following areas are deemed appropriate subject matter for continuing education credit:

a. Sciences on which dietetic practice, dietetic education, or dietetic research is based including nutrition, biochemistry, physiology, food management and behavioral and social sciences to achieve and maintain people's health.

b. Dietetic practice related to assessment, counseling, teaching, or care of clients in any setting.

c. Management or quality assurance of nutritional care delivery systems.

80.101(3) *Standards for approval of continuing education, programs and activities.* A continuing education activity shall be qualified for approval if the board determines that:

a. It constitutes an organized program of learning (including a workshop or symposium) which contributes directly to the professional competency of the licensee; and

b. It pertains to subject matters which relate integrally to the practice of dietetics and is in compliance with the continuing education guidelines of the board; and

c. It is conducted by individuals who have a special education, training and experience by reason of which said individuals should be considered experts concerning the subject matter of the program.

80.101(4) *Academic coursework.* Coursework for credit must be completed at a U.S. regionally accredited college or university. To receive continuing education credit the coursework must be beyond entry-level dietetics. One academic semester credit equals 15 continuing education hours. One academic quarter credit equals 10 continuing education hours.

80.101(5) *Scholarly publications.* Publication may be approved if submitted in published form in the continuing education documentation file of the licensee. All publications must appear in referred professional journals. Material related to work responsibilities such as diet and staff manuals and publications for the lay public are unacceptable. Continuing education credit hours may be reported using the following guidelines.

Senior author: first of two or more authors listed

Coauthor: second of two authors listed

Contributing author: all but senior of three or more authors

Research papers

Single author 10 hours

Senior author 8 hours

Coauthor 5 hours

Contributing author 3 hours

Technical articles

Single author 5 hours

Senior author 4 hours

Coauthor 3 hours

Contributing author 2 hours

Information sharing articles 1 hour

Abstracts

Senior author 2 hours

Coauthor 1 hour

80.101(6) *Poster sessions.* Continuing education credit may be obtained for attending juried poster sessions at national meetings that meet the criteria for appropriate subject matter established in 80.101(2). One hour of continuing education credit is allowed for each 12 posters reviewed not to exceed 6 hours in a continuing education biennium. Credit for state meeting poster sessions must have prior approval from this board.

80.101(7) *Continuing education hours for presenters.* Presenters may receive continuing education hours. Presentations to the lay public are inappropriate. An activity for one hour converts to two hours for the presenter. Two hours per topic is allowed for presenters of poster sessions at national

professional meetings. A copy of the abstract or manuscript and documentation of the peer review process must be included in the licensee's documentation list.

645—80.102(152A) Procedures for approval of continuing education activities.

80.102(1) *Prior approval of activities.* An organization or person which seeks prior approval of a course or program shall apply to the board for approval on a form provided by the board at least 60 days in advance of the commencement of the activity. The application shall state the dates, subjects offered, objectives for the activity, total hours of instruction, names and qualifications of speakers and other pertinent information. The board shall approve or deny such application within 90 days of receipt of the application. The provider shall submit an attendance list of Iowa-licensed persons attending within 30 days after the conclusion of the program to the board office.

80.102(2) Reserved.

80.102(3) *Review of programs.* The board may monitor and review any continuing education program already approved by the board. Upon evidence of significant variation in the program presented from the program approved, the board may disapprove all or any part of the approved hours granted the program.

645—80.103(152A) Hearings. In the event of denial, in whole or part, of any application for approval of continuing education program of credit for continuing education activity, the applicant or licensee shall have the right to request a hearing. The request must be sent within 20 days after receipt of the notification of denial. The hearing shall be held within 90 days after receipt of the request for hearing. The hearing shall be conducted by the board. The final decision shall be rendered by the board.

645—80.104(152A) Report of providers and retention of records. Each continuing education provider shall submit a list of Iowa-licensed dietitians and number of continuing education hours earned on a form provided by the board within 30 days after the program is completed. The licensee shall maintain a record of proof of attendance at each continuing education program for a period of at least four years from the date of completing the continuing education.

645—80.105(152A) Disability or illness. The board may, in individual cases involving disability or illness, grant waivers of the minimum education requirements or extensions of time within which to fulfill the same or make the required reports. A written request for waiver or extension of time shall be submitted by the licensee and shall be accompanied by a verifying document signed by a physician licensed by the board of medical examiners or a licensed psychologist. Waivers of the minimum educational requirements or extensions of time within which to fulfill the same may be granted by the board for any period of time not to exceed one calendar year. In the event that the disability or illness upon which a waiver or extension has been granted continues beyond the period of the waiver or extension, the licensee must reapply. The board may, as a condition of any waiver granted, require the applicant to make up a certain portion or all of the minimum educational requirements waived by such methods as may be prescribed by the board.

645—80.106(152A) Inactive licensure. A licensee who is not engaged in practice in the state of Iowa residing within or without the state of Iowa may be granted a waiver of compliance with continuing education requirements upon written application to the board. The application shall contain a statement that the applicant will not engage in the practice of dietetics in Iowa without first complying with all regulations governing reinstatement after being granted a waiver of compliance. The application for waiver of compliance shall be submitted upon a form provided by the board.

645—80.107(152A) Reinstatement of inactive license.

80.107(1) Inactive practitioners who have been granted a waiver of compliance, prior to engaging in the practice of dietetics in the state of Iowa, shall submit written application for reinstatement on a form provided by the board and pay the current renewal fee.

80.107(2) In addition to the application, the practitioner shall furnish evidence of one of the following:

a. The full-time practice of dietetics in another state of the United States or District of Columbia and completion of continuing education for each year of inactive status substantially equivalent in the opinion of the board to that required under these rules; or

b. Complete the total number of hours of accredited continuing education computed by multiplying 15 by the number of years a waiver of compliance shall have been in effect for the applicant; or

c. Successfully complete the licensing examination conducted within one year immediately prior to the submission of such application for reinstatement.

645—80.108(152A) Reinstatement of lapsed licenses.

80.108(1) A license shall be considered lapsed if not renewed within 30 days of renewal date. If the license lapses, the practice of holding oneself out as licensed to practice dietetics must cease until the license is reinstated by the board.

80.108(2) A licensee who wishes to reinstate a lapsed license shall pay past due renewal fees to a maximum of four years, a reinstatement fee and penalty fees.

80.108(3) Continuing education requirements for the period of time the license was lapsed are not waived.

80.108(4) Application for reinstatement shall be made on a form provided by the board.

645—80.109 to 80.199 Reserved.

645—80.200(152A) Complaint. A complaint of a licensee's professional misconduct shall be made in writing by any person to the Board of Dietetic Examiners, Professional Licensure, Lucas State Office Building, Des Moines, Iowa 50319-0075. The complaint shall include complainant's name, address, and telephone number, be signed and dated by the complainant, shall identify the licensee, and shall give the address and any other information about the licensee which the complainant may have concerning the matter.

645—80.201(152A) Report of malpractice claims or actions. Each licensee shall submit a copy of any judgment or settlement in a malpractice claim or action to the board within 30 days after the occurrence.

645—80.202(152A) Investigation of complaints or malpractice claims. The chairperson of the board of dietetic examiners shall assign an investigation of a complaint or malpractice claim to a member of the board who will be known as the investigating board member or may request the Iowa department of health to investigate the complaint or malpractice claim. The investigating board member or employee of the department may request information from any peer review committee which may be established to assist the board. The investigating board member or employee of the department may consult with an assistant attorney general concerning the investigation on evidence produced from the investigation. The investigating board member, if the board member investigates the complaint, shall make a written determination whether there is probable cause for a disciplinary hearing. The investigating board member shall not take part in the decision of the board, but may appear as a witness.

645—80.203(152A) Alternative procedures.

80.203(1) A disciplinary hearing before the licensing board is an alternative to the procedure provided in Iowa Code sections 147.58 to 147.71.

80.203(2) Informal settlement—parties. A contested case may be resolved by informal settlement. Negotiation of an informal settlement may be initiated by the state of Iowa represented by the prosecuting attorney, the respondent or the board. The board may designate a board member with authority to negotiate on behalf of the board. The board is not involved in negotiation until presentation of a final, written form to the full board for approval.

80.203(3) Informal settlement—waiver of notice and opportunity to be heard. Consent to negotiation by the respondent constitutes a waiver of notice and opportunity to be heard pursuant to Iowa Code section 17A.17 during informal settlement negotiation. Thereafter, the prosecuting attorney is authorized to discuss informal settlement with the board's designee.

80.203(4) Informal settlement—board approval. All informal settlements are subject to approval of a majority of the full board. No informal settlement shall be presented to the board for approval except in final written form executed by the respondent. If the board fails to approve the informal settlement, it shall be of no force or effect to either party.

80.203(5) Informal settlement—disqualification of designee. A board member who is designated to act in negotiation of an informal settlement is not disqualified from participating in the adjudication of the contested case.

645—80.204(152A) License denial. Any request for a hearing before the board concerning the denial of a license shall be submitted by the applicant in writing to the board by certified mail, return receipt requested, within 30 days of the mailing of a notice of denial of license.

645—80.205(152A) Notice of hearing. If there is a finding of probable cause for a disciplinary hearing by the investigating board member or by the department, the department shall prepare the notice of hearing and transmit the notice of hearing to the respondent by certified mail, return receipt requested, at least ten days before the date of the hearing.

645—80.206(152A) Hearings open to the public. A hearing of a licensing board concerning licensees or an applicant shall be open to the public unless the licensees or their attorney request in writing that the hearing be closed to the public.

645—80.207(152A) Hearings. The board adopts the rules of the department of public health found in 641—Chapter 173, Iowa Administrative Code, as the procedure for hearings before the board. The board may authorize an administrative law judge to conduct the hearings, administer oaths, issue subpoenas, and prepare written findings of fact, conclusions of law and a decision at the direction of the board. If a majority of the board does not hear the disciplinary proceeding, a recording or a transcript of the proceeding shall be made available to the members of the board who did not hear the proceeding.

645—80.208(152A) Appeal. Any appeal to the district court from disciplinary action of the board or denial of license shall be taken within 30 days from the issuance of the decision by the board. It is not necessary to request a rehearing before the board to appeal to the district court.

645—80.209(152A) Transcript. The party who appeals a decision of the board to the district court shall pay the cost of the preparation of a transcript of the administrative hearing for the district court.

645—80.210(152A) Publication of decisions. Final decisions of the board relating to disciplinary proceedings shall be transmitted to the appropriate professional association, the news media, and employer.

645—80.211(152A,272C) General. The board has the authority to impose discipline for any violation of Iowa Code chapters 147, 152A, 272C or the rules promulgated thereunder.

645—80.212(152A,272C) Method of discipline. The board has authority to impose the following disciplinary sanctions:

1. Revoke a license.
2. Suspend a license until further order of the board or for a specified period.
3. Prohibit permanently, until further order of the board or for a specified period, the engaging in specified procedures, methods or acts.
4. Place a license on probation.
5. Require additional education, training or treatment.
6. Require a reexamination.
7. Impose civil penalties not to exceed \$1000.
8. Issue citation and warning.
9. Impose such other sanctions allowed by law as may be appropriate.

645—80.213(152A,272C) Discretion of board. The following factors may be considered by the board in determining the nature and severity of the disciplinary sanction to be imposed:

1. The relative seriousness of the violation as it relates to assuring the citizens of this state a high standard of professional care.
2. The facts of the particular violation.
3. Any extenuating circumstances or other countervailing considerations.
4. Number of prior violations.
5. Seriousness of prior violations.
6. Whether remedial action has been taken.
7. Such other factors as may reflect upon the competency, ethical standards and professional conduct of the licensee.

645—80.214(152A,272C) Grounds for discipline. The board may impose any of the disciplinary sanctions set forth in rule 80.212(152A,272C), including civil penalties in an amount not to exceed \$1000, when the board determines that the licensee is guilty of any of the following acts or offenses:

80.214(1) Fraud in procuring a license. Fraud in procuring a license includes, but is not limited to, an intentional perversion of the truth in making application for a license to practice dietetics in this state, and includes false representations of a material fact, whether by word or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed when making application for a license in this state, or attempting to file or filing with the board or the Iowa department of public health any false or forged diploma, or certificate or affidavit or identification or qualification in making an application for a license in this state.

80.214(2) Professional incompetency. Professional incompetency includes, but is not limited to:

- a. A substantial lack of knowledge or ability to discharge professional obligations within the scope of the dietitian's practice;

- b. A substantial deviation by the dietitian from the standards of learning ordinarily possessed and applied by other dietitians in the state of Iowa acting in the same or similar circumstances;

- c. A failure by a dietitian to exercise in a substantial respect that degree of care which is ordinarily exercised by the average dietitian in the state of Iowa acting in the same or similar circumstances; and

d. A willful or repeated departure from or the failure to conform to the minimal standard of acceptable and prevailing practice of dietetics in the state of Iowa.

80.214(3) Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of a profession or engaging in unethical conduct as provided by rule 80.212(152A,272C) or practice harmful or detrimental to the public. Proof of actual injury need not be established. Practice harmful or detrimental to the public includes, but is not limited to, the failure of a dietitian to possess and exercise that degree of learning and care expected of a reasonably prudent dietitian acting in the same or similar circumstances in this state.

80.214(4) Habitual intoxication or addiction to the use of drugs. The inability of a dietitian to practice with reasonable skill and safety by reason of the excessive use of alcohol, drugs, narcotics, chemicals or other type of material on a continuing basis, or the excessive use of alcohol, drugs, narcotics, chemicals or other type of material which may impair a dietitian's ability to practice the profession with reasonable skill and safety.

80.214(5) Conviction of a felony related to the profession or occupation of the licensee, or the conviction of any felony that would affect the licensee's ability to practice within a profession. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

80.214(6) Use of untruthful or improbable statements in advertisements. Use of untruthful or improbable statements in advertisements includes, but is not limited to, an action by a dietitian in making information or intention known to the public which is false, deceptive, misleading or promoted through fraud or misrepresentation and includes statements which may consist of, but are not limited to:

- a.* Inflated or unjustified expectations of favorable results.
- b.* Self-laudatory claims that imply that the dietitian is a skilled dietitian engaged in a field or specialty of practice for which the dietitian is not qualified.
- c.* Extravagant claims or proclaiming extraordinary skills not recognized by the dietetic profession.

80.214(7) Willful or repeated violations of the provisions of these rules and Iowa Code chapter 147.

80.214(8) Violating a regulation or law of this state, or the United States, which relates to the practice of dietetics.

80.214(9) Failure to report a license revocation, suspension or other disciplinary action taken by a licensing authority of another state, district, territory or country within 30 days of the final action by such licensing authority. A stay by an appellate court shall not negate this requirement; however, if such disciplinary action is overturned or reversed by a court of last resort, such report shall be expunged from the records of the board.

80.214(10) Failure of a licensee or an applicant for licensure in this state to report any voluntary agreements to restrict the practice of dietetics entered into in another state, district, territory or country.

80.214(11) Knowingly aiding, assisting, procuring, or advising a person to unlawfully practice dietetics.

80.214(12) Failure to identify oneself as a dietitian to the public.

80.214(13) Violating a lawful order of the board, previously entered by the board in a disciplinary hearing or pursuant to informal settlement.

80.214(14) Being adjudged mentally incompetent by a court of competent jurisdiction.

80.214(15) Making suggestive, lewd, lascivious or improper remarks or advances to a patient or client.

80.214(16) Knowingly submitting a false report of continuing education or failure to submit the biennial report of continuing education.

80.214(17) Failure to comply with a subpoena issued by the board.

80.214(18) Failure to file the reports required by rule 645—80.217(152A,272C) concerning acts or omissions committed by another licensee.

80.214(19) Obtaining any fee by fraud or misrepresentation.

80.214(20) Failing to exercise due care in the delegation of dietetic services to or supervision of assistants, employees or other individuals, whether or not injury results.

645—80.215(152A,272C) Reporting of judgments or settlements. Each licensee shall report to the board every adverse judgment in a malpractice action to which the licensee is a party, and every settlement of a claim against the licensee alleging malpractice. The report together with a copy of the judgment or settlement must be filed with the board within 30 days from the date of said judgment or settlement.

645—80.216(152A,272C) Investigation of reports of judgments and settlements. Reports received by the board from the commissioner of insurance, insurance carriers and licensees involving adverse judgments in a professional malpractice action, and settlement of claims alleging malpractice, which involve acts or omissions which constitute negligence, careless acts or omissions in the practice of dietetics, shall be reviewed and investigated by the board in the same manner as is prescribed in these rules for the review and investigation of written complaints.

645—80.217(152A,272C) Reporting of acts or omissions. Each licensee, having firsthand knowledge of acts or omissions set forth in rule 80.214(152A,272C), shall report to the board those acts or omissions when committed by another person licensed to practice dietetics. The report shall include the name and address of the licensee and the date, time and place of the incident.

645—80.218(152A,272C) Failure to report licensee. Upon obtaining information that a licensee failed to file a report required by rule 80.217(152A,272C) within 30 days from the date the licensee initially acquired the information, the board may initiate a disciplinary proceeding against the licensee who failed to make the required report.

645—80.219(152A,272C) Immunities. A person shall not be civilly liable as a result of filing a report or complaint with the board or peer review committee, or for the disclosure to the board or its agents or employees, whether or not pursuant to a subpoena of records, documents, testimony or other forms of information which constitute privileged matter concerning a recipient of health care services or some other person, in connection with proceedings of a peer review committee, or in connection with duties of the board. However, such immunity from civil liability shall not apply if such act is done with malice.

645—80.220(152A,272C) Principles. The dietetic practitioner shall:

1. Provide professional services with objectivity and with respect for the unique needs and values of individuals.
2. Avoid discrimination against other individuals on the basis of race, creed, religion, sex, age, and national origin.
3. Fulfill professional commitments in good faith.
4. Conduct oneself with honesty, integrity, and fairness.
5. Remain free of conflict of interest while fulfilling the objectives and maintaining the integrity of the dietetic profession.
6. Maintain confidentiality of information.
7. Practice dietetics based on scientific principles and current information.
8. Assume responsibility and accountability for personal competence in practice.
9. Recognize and exercise professional judgment within the limits of the qualifications and seek counsel or make referrals as appropriate.
10. Provide sufficient information to enable clients to make their own informed decisions.

11. Inform the public and colleagues by using factual information and shall not advertise in a false or misleading manner.

12. Promote or endorse products in a manner that is neither false nor misleading.

13. Permit use of the practitioner's name for the purpose of certifying that dietetic services have been rendered only after having provided or supervised the provision of those services.

14. Accurately present professional qualifications and credentials.

15. Present substantiated information and interpret controversial information without personal bias, recognizing that legitimate differences of opinion exist.

16. Make all reasonable effort to avoid bias in any kind of professional evaluation and provide objective evaluation of candidates for professional association membership, awards, scholarships, or job advancements.

These rules are intended to implement Iowa Code chapters 152A and 272C and Iowa Code section 147.55.

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CHAPTERS 81 to 85

Reserved